

**PILLSBURY WINTHROP<sub>LLP</sub>**

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February 27, 2002

Assistant Commissioner for Patents  
Washington, DC 20231

**RECEIVED**

MAR 06 2002

TECH CENTER 1600/2900

Re: Response to Restriction Requirement and  
Recordation of Assignment  
Appl. No. 09/873,409  
Filed: June 5, 2001  
Title: **A Gene Encoding a Multidrug Resistance  
Human P-Glycoprotein Homologue on  
Chromosome 7p15-21 and Uses Thereof**  
Inventor(s): Frank, *et al.*  
Atty. Dkt.: 81994/279322

Sir:

The following documents are being forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Response to Restriction Requirement;
2. Petition for Extension of Time Under 37 C.F.R. § 1.136;
3. Assignment to The Brigham and Women's Hospital, Inc. executed by inventors Markus H. Frank and Mohamed H. Sayegh, the recordation of which is respectfully requested;
4. Form PTO-1594, Recordation Form Cover Sheet;
5. Our check in the amount of \$240.00 representing the fee for a two-month extension of time for a small entity and the Assignment recordation fee; and
6. Form indicating receipt by the PTO of the above items.



PILLSBURY WINTHROP<sup>LLP</sup>

Assistant Commissioner for Patents  
February 27, 2002  
Page 2

It is respectfully requested that the enclosed Receipt be stamped with the date the enclosed documents are received by the PTO and that it be returned as soon as possible.

The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment to our Deposit Account No. 03-3975 under Order No. 81994/279322.

Very truly yours,

PILLSBURY WINTHROP LLP

Michael A. Sanzo  
Attorney for Applicants  
Reg. No. 36,912

MAS:ct  
Enclosures

Election/EXT(2)/#7  
3/7/02

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

Frank, *et al.*

Appl. No.: 09/873,409

Filed: June 5, 2001

For: **A Gene Encoding a Multidrug Resistance  
Human P-Glycoprotein Homologue on  
Chromosome 7p15-21 and Uses Thereof**

Art Unit: 1642

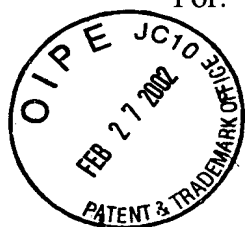
Examiner: N. Davis

Atty. Dkt. 81994/279322

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**Response to Restriction Requirement**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action dated November 29, 2001, in which the Examiner imposed a restriction requirement on the above-captioned application, Applicants hereby elect the inventions of Group III, including claims 5-7 and 9, drawn to a polynucleotide and oligonucleotide encoding a multi-drug resistance protein, a vector and a host cell. Applicants respectfully request that the claims in the non-elected restriction groups be cancelled without prejudice.

The present election of restriction Group III is made without traverse.

Applicants do not believe that any fees other than those provided for herein are required for the filing of the present document. Nevertheless, any fees that may be required may be charged to our Deposit Account No. 03-3975 under Order No. 81994/279322.

If, in the opinion of the Examiner, a phone call may help to expedite the prosecution of this matter, the Examiner is invited to call Applicants' undersigned attorney at (703) 905-2173.

Respectfully submitted,

PILLSBURY WINTHROP LLP

By: *Michael A. Sanzo*  
Michael A. Sanzo  
Reg. No. 36,912  
Attorney for Applicants

Date: *February 27*, 2002

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